The Lyerly Town Council met for their regular monthly meeting on Tuesday, June 12, 2018 at Lyerly Town Hall. Those in attendance were:

Jim Ferguson, Mayor

Gwen Fisher

Phil Brooks

Juanita Baker

Shirley Davis

June 12, 2018

The meeting was called to order by Mayor Ferguson at 7:45 pm.

***New Business:***

*Minutes–* Mayor Ferguson said everyone should have the minutes handed out at the last meeting. Phil Brooks made a motion to approve the April 3rd work session and April 10th meeting minutes. Juanita Baker seconded. All in favor.

*FY2017 Amended Budget–* Mayor Ferguson said that this is the amended budget from 2017 per the audit that was just completed. Town Clerk Sally Kerce said that they have finished the 2017 audit and this amendment is to make the budget match what was actually spent and brought in. Phil Brooks made a motion to approve the FY2017 Amended Budget. Juanita Baker seconded. All in favor.

*4th of July –* Mayor Ferguson said that he doesn’t really have anything to add about the 4th of July. Gwen Fisher said that she talked with Terry at the radio station and our ad for the 4th should start tomorrow. She said that the radio station would also like to do some features on our upcoming sewer improvements. Mayor Ferguson said that would be great.

*Public Hearing –* Mayor Ferguson said that we have to have a public hearing on the 26th of June for the final approval to go forward with the grant funds for improvement the wastewater facility. It is required in the grant process that we have a public hearing separate from any other business for anyone who wants can show up and ask questions. It will be at 7:30pm. The legal notice has to be in the paper for 10 days and it will be in there on the 14th.

*Ordinance for Pouring Alcohol –* Mayor Ferguson said that the ordinance they discussed last week was sent to the town attorney and she has sent it back with a few changes. Gwen Fisher said that there were a couple of things that she wanted to go over to see if the attorney changed. Mayor Ferguson said that he will go over her list of changes. The first change she made was to the percentages of alcohol. The previous version had them wrong as defined by Georgia law. He said that malt beverage definition was increased from 6% to 14% and wine was increased from 21% to 24%. The second change was housekeeping. He said that he had defined legal in two places so she just took on e of those out. Third, she changed language from section 2.4(4a). Previously it stated that “New licenses issued by November 1st shall expire the following year on December 31st” and she changed the language to “New licenses issued on or after November 1st of the given year shall expire the following year on December 31st.” Section 2.7, the previous version said “The application should have a straight line drawing to the nearest church, its building, the nearest residence or school” and she changed it from saying “nearest residence OR school” to “nearest residence AND school.” Also, language was added that states that we can take our own measurements, if we disagree with the ones that the applicant provides to us. The fifth thing was, he had some things out of order and miss numbered and it was corrected. Also, he left the S off of United States. She suggested that 2.11A have a caveat added to it that states “except if provided in 2.4-4A”. So if it includes new licenses, it will just mean renewals however in this case she wanted to say that it was all licenses. The next thing was 2.11E, she said that he made reference to an appeals process but he had the reference number wrong. Gwen Fisher asked on number 3, it says that the council can give permission for sales in Chattooga County, shouldn’t it say Town of Lyerly. Mayor Ferguson said that he would fix it. Shirley Davis said one thing that she has a problem with is it saying that they have permission to pour from 8am till 1am. Why would anyone want that? Will they be selling food during that time? Mayor Ferguson asked Shirley Davis what times would suit her better. Gwen Fisher said it is section 3.2, hours of operation. Shirley Davis said that she doesn’t think they have any business selling at 1 o’clock in the morning or 8 o’clock in the morning. Mayor Ferguson asked again what times agree with her more. He said that the time is left up to the council. He said for them to tell him what they want. Gwen Fisher asked if there is something in the ordinance that states that there will be consequences if they do stuff they aren’t supposed to, like sell to minors. Mayor Ferguson said that is state law. He said that there is little to none in our ordinance that is not already Georgia state law. They will have to have a license from the state of Georgia too. As far as selling to minors or things like that, it is already state law. Shirley Davis asked about the temporary permits. She wants to know if that would go for things happening in the park with our young people, like Down Home Day or any other event in the park. Mayor Ferguson said that no one can do anything without permission from the council. Shirley Davis said that she is asking him. When it comes down to it, are we going to allow beer and wine to be sold at ballgames? Mayor Ferguson said that no one can sell alcohol without permission. Shirley Davis said that it’s not going to be added to the ordinance that at a ball game beer can’t be sold. Mayor Ferguson said that if anyone wants to sell alcohol at an event in the park, they are going to have to stand before you and the other council members and ask first. Gwen Fisher said that it states that the vendor has to stop selling to someone if they are obviously getting drunk. Who decides that? Mayor Ferguson said that the vendor takes responsibility for that when accepts the license from the state of Georgia. Shirley Davis also said that the vendor is supposed to have their own security. Once the intoxicated person steps off of the vendor’s property, who is responsible for them then? Mayor Ferguson said that if someone gets drunk and leaves and something happens, the vendor who sold them the alcohol is responsible. James Davis asked if brown bagging would be allowed at ball games. Mayor Ferguson said no. Gwen Fisher said that section 3.22 states about cleanliness and it states that beverage containers and empty cans to be removed from premises. She thinks that trash and cigarettes needs to be added also. Mayor Ferguson said that he will add trash. He then asked the council again if they had anything to add about the hours. Gwen Fisher asked when they would stop serving food. Mayor Ferguson said that we have dictated the percentage of food that they are required to sell, which is what everyone does. Gwen Fisher asked if the 1am is Georgia law. Mayor Ferguson said that if he isn’t mistaken, there is no closing time for state law. As long as the percentage of food sold meets the requirement, people can sit and drink and not eat.

Mayor Ferguson opened the floor to the public at 7:05pm.

Phil Brooks made the motion to adjourn. Juanita Baker seconded seconded. All in favor.

Meeting was adjourned at 7:06 pm.

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Mayor Town Clerk